

City Clerk File No. Ord. 16.100

Agenda No. 3.A 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE **16.100**

TITLE:

ORDINANCE SUPPLEMENTING CHAPTER A351 (EXECUTIVE ORDERS AND ORDINANCES) OF THE JERSEY CITY CODE TO CREATE A NEW CLASSIFIED POSITION FOR SUPERVISING PROGRAM ANALYST

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

A. The following supplements to Chapter A351 (Executive Orders and Ordinances) of the Jersey City Code are adopted:

Labor Grade

Title

*

Supervising Program Analyst

B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

C. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

D. This ordinance shall take effect at the time and in the manner as provided by law.

E. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All new material is underlined; words in [brackets] are omitted.
For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

**Pursuant to N.J.S.A. 40:69A-43a.*

NR/he
5/24/16

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____

Business Administrator

Certification Required ☐

Not Required ☐

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

**ORDINANCE SUPPLEMENTING CHAPTER A351 (EXECUTIVE ORDERS AND ORDINANCES)
OF THE JERSEY CITY CODE TO CREATE A NEW CLASSIFIED POSITION FOR
SUPERVISING PROGRAM ANALYST**

Initiator

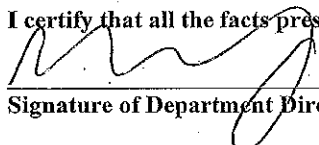
Department/Division	Human Resources	Workforce Management
Name/Title	Nancy Ramos	Director of Human Resources
Phone/email	(201) 547-5217	nancyr@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

To establish a new title for Alvin Pettit and Andrew Kemp in accordance with New Jersey Department of Civil Services Commission Rules and Regulations

I certify that all the facts presented herein are accurate.


Signature of Department Director


Date



STEVEN M. FULOP
MAYOR OF JERSEY CITY

CITY OF JERSEY CITY
OFFICE OF THE MAYOR

CITY HALL | 280 GROVE STREET | JERSEY CITY, NJ 07302
P: 201 547 5500 | F: 201 547 5442



STEVEN M. FULOP
MAYOR OF JERSEY CITY

E.O. _____

_____, 2016

EXECUTIVE ORDER OF THE MAYOR
OF THE
CITY OF JERSEY CITY

CLASSIFIED POSITIONS FOR CITY EMPLOYEES

Pursuant to the Faulkner Act, N.J.S.A. 40:69A-48, as amended by L.1985, c.374, the Mayor is now authorized to set the salaries, wages or other compensation of all employees of administrative departments except department directors and employees whose salaries are required to be set by ordinance.

Pursuant to this authorization, I issue the following Executive Order establishing guidelines for salaries and wages of those employees whose salaries are set by the Mayor:

Labor Grade

Title

22

Supervising Program Analyst

This order shall take effect immediately.

Very truly yours,

STEVEN M. FULOP, MAYOR

SMF/he

cc: Robert J. Kakoleski, Business Administrator
Jeremy Farrell, Corporation Counsel
Robert Byrne, City Clerk
Donna Mauer, Chief Financial Officer
Nancy Ramos, Personnel Director

Ordinance/Resolution Fact Sheet

This summary sheet is to be attached to the front of any ordinance, resolution, cooperation agreement, or contract that is submitted for Council consideration. Incomplete or sketch summary sheets will be returned with the resolution or ordinance. The Department, Division, or Agency responsible for the overall implementation of the proposed project or program should provide a concise and accurate state of facts.

Full Title of Ordinance/Resolution/Cooperation Agreement:

Supervising Program Analyst

Name & Title of Person Initiating Ordinance/Resolution, Etc.:

Nancy Ramos, Human Resources Director

Concise Description of the Program, Project, or Plan Proposed in the Ordinance:

To establish a new title in accordance with New Jersey dept. of Civil Services Commission and Regulations

Reasons for the Proposed Program, Project, Etc.:

Alvin Pettit and Andrew Kemp

Anticipated Benefits to the Community:

Cost of Program, Project, Etc.:(Indicate the dollar amount of City, State, Federal funds to be used as well as match and in-kind contributions.)

Date Proposed Program or Project will Commence:

Anticipated Completion Date:

Person Responsible for Coordinating Proposed Program, Project Etc.:

Additional Comments:

Union Affiliation - Management Labor Grade: 22

I Certify That All Facts Present Herein Are Accurate.

5/16/16

Date



Department Director

Date Submitted to Law Department

New Title

Title: Supervising Program Analyst

Department: Public Works

Division: Director's Office

Labor Grade: 22

Min. \$14,800

Max. \$52,251

Union: Management

Alvin Pettit

34 Astor Place

Jersey City, NJ 07304

Salary: \$60,000

New Title

Title: Supervising Program Analyst

Department: Recreation

Division: Director's Office

Labor Grade: 22

Min. \$14,800

Max. \$52,251

Union: Management

Andrew Kemp

525 Garfield Ave.

Jersey City, NJ 07305

Salary: \$50,000

City Clerk File No. Ord. 16.101

Agenda No. 3.B 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 16.101

TITLE:

ORDINANCE SUPPLEMENTING CHAPTER A351 (EXECUTIVE ORDERS AND ORDINANCES) OF THE JERSEY CITY CODE TO CREATE A NEW CLASSIFIED POSITION FOR SENIOR LANDSCAPE ARCHITECT

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

A. The following supplements to Chapter A351 (Executive Orders and Ordinances) of the Jersey City Code are adopted:

Labor Grade

Title

*

Senior Landscape Architect

B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

C. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

D. This ordinance shall take effect at the time and in the manner as provided by law.

E. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All new material is underlined; words in [brackets] are omitted.
For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

*Pursuant to N.J.S.A. 40:69A-43a.

NR/he
5/24/16

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____

Business Administrator

Certification Required ☐

Not Required ☐



STEVEN M. FULOP
MAYOR OF JERSEY CITY

CITY OF JERSEY CITY
OFFICE OF THE MAYOR

CITY HALL | 280 GROVE STREET | JERSEY CITY, NJ 07302
P: 201 547 5500 | F: 201 547 5442



STEVEN M. FULOP
MAYOR OF JERSEY CITY

E.O. _____

_____, 2016

EXECUTIVE ORDER OF THE MAYOR
OF THE
CITY OF JERSEY CITY

CLASSIFIED POSITIONS FOR CITY EMPLOYEES

Pursuant to the Faulkner Act, N.J.S.A. 40:69A-48, as amended by L.1985, c.374, the Mayor is now authorized to set the salaries, wages or other compensation of all employees of administrative departments except department directors and employees whose salaries are required to be set by ordinance.

Pursuant to this authorization, I issue the following Executive Order establishing guidelines for salaries and wages of those employees whose salaries are set by the Mayor:

Labor Grade

Title

33

Senior Landscape Architect

This order shall take effect immediately.

Very truly yours,

STEVEN M. FULOP, MAYOR

SMF/he

cc: Robert J. Kakoleski, Business Administrator
Jeremy Farrell, Corporation Counsel
Robert Byrne, City Clerk
Donna Mauer, Chief Financial Officer
Nancy Ramos, Personnel Director

RESOLUTION FACT SHEET – NON-CONTRACTUAL

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Full Title of Ordinance/Resolution

**ORDINANCE SUPPLEMENTING CHAPTER A351 (EXECUTIVE ORDERS AND ORDINANCES)
OF THE JERSEY CITY CODE TO CREATE A NEW CLASSIFIED POSITION FOR SENIOR
LANDSCAPE ARCHITECT**

Initiator

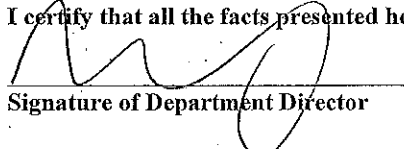
Department/Division	Human Resources	Workforce Management
Name/Title	Nancy Ramos	Director of Human Resources
Phone/email	(201) 547-5217	nancyr@jenj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

To establish a new title for Drew J. Banghart in accordance with New Jersey Department of Civil Services Commission Rules and Regulations

I certify that all the facts presented herein are accurate.


Signature of Department Director


Date

Ordinance/Resolution Fact Sheet

This summary sheet is to be attached to the front of any ordinance, resolution, cooperation agreement, or contract that is submitted for Council consideration. Incomplete or sketch summary sheets will be returned with the resolution or ordinance. The Department, Division, or Agency responsible for the overall implementation of the proposed project or program should provide a concise and accurate state of facts.

Full Title of Ordinance/Resolution/Cooperation Agreement:

Senior Landscape Architect

Name & Title of Person Initiating Ordinance/Resolution, Etc.:

Nancy Ramos, Human Resources Director

Concise Description of the Program, Project, or Plan Proposed in the Ordinance:

To establish a new title

Reasons for the Proposed Program, Project, Etc.:

Drew. J Banghart

Anticipated Benefits to the Community:

Cost of Program, Project, Etc.:(Indicate the dollar amount of City, State, Federal funds to be used as well as match and in-kind contributions.)

Date Proposed Program or Project will Commence: _____

Anticipated Completion Date: _____

Person Responsible for Coordinating Proposed Program, Project Etc.: _____

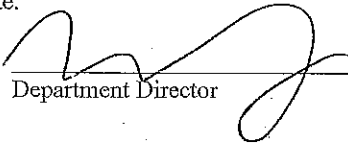
Additional Comments:

Union Affiliation - Management Labor Grade: 33

I Certify That All Facts Present Herein Are Accurate.

5/16/16

Date



Department Director

Date Submitted to Law Department _____

New Title

Title: Senior Landscape Architect

Department: Administration

Division: Architecture

Labor Grade: 33

Min. \$22,500

Max. 70,308

Union: Management

Drew J. Banghart

33 Mead Ave.

Middlesex, NJ 08846

Salary: \$85,000

City Clerk File No. Ord. 16.102

Agenda No. 3.C 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 16.102

TITLE:

AN ORDINANCE AMENDING CHAPTER 3, (ADMINISTRATION OF GOVERNMENT) ARTICLE XI, (DEPARTMENT OF PUBLIC SAFETY) SUB-ARTICLE I (DIVISION OF POLICE) TO ESTABLISH A PRIVATE OUTDOOR SURVEILLANCE CAMERA REGISTRY

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, N.J.S.A. 40:48-1 has been recently amended to permit a municipality to enact an ordinance allowing voluntary registration of private outdoor video surveillance cameras with local law enforcement; and

WHEREAS, the Municipal Council supports the New Jersey State Legislature's findings, as set forth in P.L.2015, Chapter 142, approved November 9, 2015, that private outdoor video surveillance cameras may provide useful information in investigating criminal activity within the vicinity of the camera, and also save time and resources for the Jersey City Police and law enforcement officials.

NOW THEREFORE BE IT ORDAINED by the Municipal Council of the City of Jersey City, that Chapter 3, (Administration of Government), Article XI, (Department of Public Safety) Sub-Article I (Division of Police) be amended to include the following section:

**ARTICLE XI - Department of Public Safety
SUB-ARTICLE I - Division of Police**

§ 3-85. - Creation of the Division of Police; Police Chief in charge.

No Change.

§ 3-85.1 - Off-duty employment.

No Change.

§ 3-86. - Solicitations restricted.

No Change.

§ 3-87. - Special law enforcement officers.

No Change.

§ 3-87. - Registry of private outdoor video surveillance cameras.

A. Purpose.

AN ORDINANCE AMENDING CHAPTER 3, (ADMINISTRATION OF GOVERNMENT) ARTICLE XI, (DEPARTMENT OF PUBLIC SAFETY) SUB-ARTICLE I (DIVISION OF POLICE) TO ESTABLISH A PRIVATE OUTDOOR SURVEILLANCE CAMERA REGISTRY

Pursuant to N.J.S.A. 40:48-1 and 40:48-1.6 et. seq., the City has established a voluntary registry of private outdoor video surveillance cameras under the direction of the Jersey City Police. The purpose is to aid local law enforcement in investigating criminal activity

that occurred within the vicinity of the camera's location in a timely, efficient and effective manner.

B. Definitions.

Private outdoor video surveillance camera or camera - a device installed outside a residence or business, which, for security purposes, captures footage of an area outside the residence or business.

Registrant – a person who owns a residence or business within the City of Jersey City who registers a private outdoor video surveillance camera with the Jersey City Police under pursuant to this Section.

C. Registration.

1. A person who owns a residence or business within the City of Jersey City may register a private outdoor video surveillance camera(s) with the Jersey City Police on a registry form approved by the Chief of Police. Registration of a private outdoor video surveillance camera with the Jersey City Police is not required by this Section and does not constitute a waiver of any rights granted under the Constitutions of the United States or the State of New Jersey.
2. The following information shall be included in the private outdoor video surveillance camera registry and obtained on registry forms approved by the Chief of Police: (1) the name of the person who owns the camera(s); (2) the most recent contact information, including the street address and telephone number of the person who owns the camera(s); (3) the street address of the residence or business where the camera(s) is/are installed; (4) the number of cameras located at the residence or business; (5) the outdoor areas recorded by the camera(s); (6) the means by which the camera's footage is saved or stored, and the duration of time for which the footage is saved or stored; and (7) any additional information deemed necessary by the Chief of Police as set forth on the registry form.

D. Regulations

1. Information stored in the Jersey City Police private outdoor video surveillance camera registry and obtained on the registry forms pursuant to this Section shall be available for the exclusive use by law enforcement officials to investigate criminal activity within the vicinity of the camera's location(s). Information stored in the registry or contained on the registry forms shall not be considered a public record pursuant to N.J.S.A. 47:1A-1 et seq., N.J.S.A. 47:1A-5 et al., or common law record concerning access to public records. Further, said information shall not be discoverable as a public record by any person, entity, or governmental agency, except upon the issuance of a subpoena by a grand jury or a court order in a criminal matter.
2. The Jersey City Police, as well as any State, county, or municipal law enforcement agency, may contact a person whose information appears in the City's private outdoor video surveillance camera registry established pursuant to this Section in order to request access to any camera's footage which may assist in an investigation of criminal activity that occurred within the vicinity of camera's location(s). A registrant shall not be required to submit the camera's footage to the

AN ORDINANCE AMENDING CHAPTER 3, (ADMINISTRATION OF GOVERNMENT) ARTICLE XI, (DEPARTMENT OF PUBLIC SAFETY) SUB-ARTICLE I (DIVISION OF POLICE) TO ESTABLISH A PRIVATE OUTDOOR SURVEILLANCE CAMERA REGISTRY

Jersey City Police or any other law enforcement agency, unless otherwise required by law.

3. No fee shall be charged for the registration of a private outdoor video surveillance camera(s) with the Jersey City Police. A registrant may remove or change information contained in the registry by contacting the Chief of Police in writing.
4. The Jersey City Police shall verify and update registry information with registrants as deemed necessary by the Chief of Police.

- I. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
- II. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.
- III. This Ordinance shall take effect at the time and in the manner as provided by law.
- IV. The City Clerk and the Corporation Counsel be and hereby are authorized and directed to change any chapter numbers, article numbers and section numbers in the event the codification of this Ordinance reveals that there is conflict between those numbers and the existing code.

Note: All new material is underlined; words ~~struck through~~ are omitted. For purposes of advertising only, new matter is **boldface** and repealed by *italics*.

JJH 6/4/16

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any Ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the Ordinance.

Full Title of Ordinance

AN ORDINANCE AMENDING CHAPTER 3, (ADMINISTRATION OF GOVERNMENT) ARTICLE XI, (DEPARTMENT OF PUBLIC SAFETY) SUB-ARTICLE I (DIVISION OF POLICE) TO ESTABLISH A PRIVATE OUTDOOR SURVEILLANCE CAMERA REGISTRY

Initiator

Department/Division	Municipal Council	Ward B
Name/Title	John J. Hallanan III	Councilman
Phone/email	201-546-5952	jhallanan@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

Pursuant to N.J.S.A. 40:48-1, this ordinance will allow for the voluntary registration of private outdoor video surveillance cameras with the Police which may provide useful information in investigating criminal activity within the vicinity of the camera, as well as save time and resources.

I certify that all the facts presented herein are accurate.

John J. Hallanan

John J. Hallanan III
Councilman, Ward B

June 4, 2016

Date



NEW JERSEY ADVANCE LEGISLATIVE SERVICE
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NEW JERSEY 216TH LEGISLATURE

P.L. 2015, CHAPTER 142

ASSEMBLY, NO. 3843

2015 N.J. ALS 142; 2015 N.J. Laws 142; 2015 N.J. Ch. 142; 2014 N.J. A.N. 3843

BILL TRACKING SUMMARY FOR THIS DOCUMENT

SYNOPSIS: An Act concerning private outdoor video surveillance cameras, supplementing Title 40 of the Revised Statutes, and amending R.S.40:48-1.

Be It Enacted by the Senate and General Assembly of the State of New Jersey:

C.40:48-1.6 Findings, declarations relative to private outdoor video surveillance cameras.

[*1] 1. The Legislature finds and declares that:

a. The ability of law enforcement officials to timely investigate criminal activity is essential to apprehending culpable criminals and ensuring public safety.

b. Footage from private outdoor video surveillance cameras may provide useful information for law enforcement officials investigating incidents of criminal activity that occurred within the vicinity of these cameras.

c. The purpose of this act is to facilitate law enforcement investigations into criminal activity and save valuable time and resources by permitting a municipality to enact an ordinance allowing all owners of private outdoor video surveillance cameras in the municipality to voluntarily register their cameras with the municipal police department or force.

C.40:48-1.7 Private outdoor video surveillance camera registry.

[*2] 2. a. A municipality may enact an ordinance to establish a private outdoor video surveillance camera registry and to allow any person who owns a private outdoor video surveillance camera on a residential or business property in the municipality to voluntarily register the camera with the municipal police department or force for the purpose of assisting law enforcement investigations of criminal activity that occurred within the vicinity of the camera's location. The ordinance shall provide that registration of a camera does not constitute a waiver of any rights granted under the Constitution of the United States or the State of New Jersey.

b. The municipal ordinance shall require the following information to be included in the private outdoor video surveillance camera registry:

- (1) the name of the person who owns the camera;
- (2) the most recent contact information, including the street address and telephone number of the person who owns the camera;
- (3) the street address of the residence or business where the camera is installed;
- (4) the number of cameras located at the residence or business;

2015 N.J. ALS 142, *; 2015 N.J. Laws 142;
2015 N.J. Ch. 142; 2014 N.J. A.N. 3843

(5) the outdoor areas recorded by the camera;

(6) the means by which the camera's footage is saved or stored, and the duration of time for which the footage is saved or stored; and

(7) any additional information the municipality deems necessary.

c. Information stored in the municipal registry pursuant to subsection b. of this section shall be available for the exclusive use by law enforcement officials to investigate criminal activity within the vicinity of the camera's location. Information stored in the registry shall not be considered a public record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or common law concerning access to public records and shall not be discoverable as a public record by any person, entity, or governmental agency, except upon a subpoena issued by a grand jury or a court order in a criminal matter.

d. A State, county, or municipal law enforcement agency may contact a person whose information appears in the municipal registry established pursuant to subsection a. of this section, in order to request access to any camera's footage which may assist an investigation of criminal activity that occurred within the vicinity of the camera's location. A person who registers a camera with a municipal police department or force shall not be required to submit the camera's footage to a law enforcement agency, unless otherwise required by law.

e. As used in this act, "private outdoor video surveillance camera" or "camera" means a device installed outside a residence or business, which, for security purposes, captures footage of an area outside the residence or business.

[*3] 3. R.S.40:48-1 is amended to read as follows:

Ordinances; general purpose.

40:48-1. Ordinances; general purpose. The governing body of every municipality may make, amend, repeal and enforce ordinances to:

Finances and property. 1. Manage, regulate and control the finances and property, real and personal, of the municipality;

Contracts and contractor's bonds. 2. Prescribe the form and manner of execution and approval of all contracts to be executed by the municipality and of all bonds to be given to it;

Officers and employees; duties, terms and salaries. 3. Prescribe and define, except as otherwise provided by law, the duties and terms of office or employment, of all officers and employees; and to provide for the employment and compensation of such officials and employees, in addition to those provided for by statute, as may be deemed necessary for the efficient conduct of the affairs of the municipality;

Fees. 4. Fix the fees of any officer or employee of the municipality for any service rendered in connection with his office or position, for which no specific fee or compensation is provided. In the case of salaried officers or employees, such fee shall be paid into the municipal treasury;

Salaries instead of fees; disposition of fees. 5. Provide that any officer or employee receiving compensation for his services, in whole or in part by fees, whether paid by the municipality or otherwise, shall be paid a salary to be fixed in the ordinance, and thereafter all fees received by such officer or employee shall be paid into the municipal treasury;

Maintain order. 6. Prevent vice, drunkenness and immorality; to preserve the public peace and order; to prevent and quell riots, disturbances and disorderly assemblages; to prohibit the consumption of alcoholic beverages by underage persons on private property pursuant to section 1 of P.L.2000, c.33 (C.40:48-1.2);

Punish beggars; prevention of loitering. 7. Restrain and punish drunkards, vagrants, mendicants and street beggars; to prevent loitering, lounging or sleeping in the streets, parks or public places;

Auctions and noises. 8. Regulate the ringing of bells and the crying of goods and other commodities for sale at auction or otherwise, and to prevent disturbing noises;

Swimming; bathing costume; prohibition of public nudity. 9. Regulate or prohibit swimming or bathing in the waters of, in, or bounding the municipality, and to regulate or prohibit persons from appearing upon the public streets, parks and places clad in bathing costumes or robes, or costumes of a similar character; regulate or prohibit persons from

2015 N.J. ALS 142, *; 2015 N.J. Laws 142;
2015 N.J. Ch. 142; 2014 N.J. A.N. 3843

appearing in a state of nudity upon all lands within its borders which are under the jurisdiction of the State including, without limitation, all lands owned by, controlled by, managed by or leased by the State;

Prohibit annoyance of persons or animals. 10. Regulate or prohibit any practice tending to frighten animals, or to annoy or injure persons in the public streets;

Animals; pounds; establishment and regulation. 11. Establish and regulate one or more pounds, and to prohibit or regulate the running at large of horses, cattle, dogs, swine, goats and other animals, and to authorize their impounding and sale for the penalty incurred, and the costs of impounding, keeping and sale; to regulate or prohibit the keeping of cattle, goats or swine in any part of the municipality; to authorize the destruction of dogs running at large therein;

Hucksters. 12. Prescribe and regulate the place of vending or exposing for sale articles of merchandise from vehicles;

Building regulations; wooden structures. 13. Regulate and control the construction, erection, alteration and repair of buildings and structures of every kind within the municipality; and to prohibit, within certain limits, the construction, erection or alteration of buildings or structures of wood or other combustible material;

Inflammable materials; inspect docks and buildings. 14. Regulate the use, storage, sale and disposal of inflammable or combustible materials, and to provide for the protection of life and property from fire, explosions and other dangers; to provide for inspections of buildings, docks, wharves, warehouses and other places, and of goods and materials contained therein, to secure the proper enforcement of such ordinance;

Dangerous structures; removal or destruction; procedure. 15. Provide for the removal or destruction of any building, wall or structure which is or may become dangerous to life or health, or might tend to extend a conflagration; and to assess the cost thereof as a municipal lien against the premises;

Chimneys and boilers. 16. Regulate the construction and setting up of chimneys, furnaces, stoves, boilers, ovens and other contrivances in which fire is used;

Explosives. 17. Regulate, in conformity with the statutes of this State, the manufacture, storage, sale, keeping or conveying of gunpowder, nitroglycerine, dynamite and other explosives;

Firearms and fireworks. 18. Regulate and prohibit the sale and use of guns, pistols, firearms, and fireworks of all descriptions;

Soft coal. 19. Regulate the use of soft coal in locomotives, factories, power houses and other places;

Theaters, schools, churches and public places. 20. Regulate the use of theaters, cinema houses, public halls, schools, churches, and other places where numbers of people assemble, and the exits therefrom, so that escape therefrom may be easily and safely made in case of fire or panic; and to regulate any machinery, scenery, lights, wires and other apparatus, equipment or appliances used in all places of public amusement;

Excavations. 21. Regulate excavations below the established grade or curb line of any street, not greater than eight feet, which the owner of any land may make, in the erection of any building upon his own property; and to provide for the giving of notice, in writing, of such intended excavation to any adjoining owner or owners, and that they will be required to protect and care for their several foundation walls that may be endangered by such excavation; and to provide that in case of the neglect or refusal, for 10 days, of such adjoining owner or owners to take proper action to secure and protect the foundations of any adjacent building or other structure, that the party or parties giving such notice, or their agents, contractors or employees, may enter into and upon such adjoining property and do all necessary work to make such foundations secure, and may recover the cost of such work and labor in so protecting such adjacent property; and to make such further and other provisions in relation to the proper conduct and performance of said work as the governing body or board of the municipality may deem necessary and proper;

Sample medicines. 22. Regulate and prohibit the distribution, depositing or leaving on the public streets or highways, public places or private property, or at any private place or places within any such municipality, any medicine, medicinal preparation or preparations represented to cure ailments or diseases of the body or mind, or any samples thereof, or any advertisements or circulars relating thereto, but no ordinance shall prohibit a delivery of any such article to any person above the age of 12 years willing to receive the same;

Boating. 23. Regulate the use of motor and other boats upon waters within or bounding the municipality;

2015 N.J. ALS 142, *; 2015 N.J. Laws 142;
2015 N.J. Ch. 142; 2014 N.J. A.N. 3843

Fire escapes. 24. Provide for the erection of fire escapes on buildings in the municipality, and to provide rules and regulations concerning the construction and maintenance of the same, and for the prevention of any obstruction thereof or thereon;

Care of injured employees. 25. Provide for the payment of compensation and for medical attendance to any officer or employee of the municipality injured in the performance of his duty;

Bulkheads and other structures. 26. Fix and determine the lines of bulkheads or other works or structures to be erected, constructed or maintained by the owners of lands facing upon any navigable water in front of their lands, and in front of or along any highway or public lands of said municipality, and to designate the materials to be used, and the type, height and dimensions thereof;

Lifeguard. 27. Establish, maintain, regulate and control a lifeguard upon any beach within or bordering on the municipality;

Appropriation for life-saving apparatus. 28. Appropriate moneys to safeguard people from drowning within its borders, by location of apparatus or conduct of educational work in harmony with the plans of the United States volunteer life-saving corps in this State;

Fences. 29. Regulate the size, height and dimensions of any fences between the lands of adjoining owners, whether built or erected as division or partition fences between such lands, and whether the same exist or be erected entirely or only partly upon the lands of any such adjoining owners, or along or immediately adjacent to any division or partition line of such lands. To provide, in such ordinance, the manner of securing, fastening or shoring such fences, and for surveying the land when required by statute, and to prohibit in any such ordinance the use at a height of under 10 feet from the ground, of any device, such as wire or cable, that would be dangerous to pedestrians, equestrians, bicyclists, or drivers of off-the-road vehicles, unless that device is clearly visible to pedestrians, equestrians, bicyclists or drivers of off-the-road vehicles. In the case of fences thereafter erected contrary to the provisions thereof, the governing body may provide for a penalty for the violation of such ordinance, and in the case of such fence or fences erected or existing at the time of the passage of any such ordinance, may provide therein for the removal, change or alteration thereof, so as to make such fence or fences comply with the provisions of any such ordinance;

Advertise municipality. 30. Appropriate funds for advertising the advantages of the municipality;

Government Energy Aggregation Programs. 31. Establish programs and procedures pursuant to which the municipality may act as a government aggregator pursuant to sections 40 through 43 of P.L.1999, c.23 (C.48:3-89 through C.48:3-92), section 45 of P.L.1999, c.23 (C.48:3-94), and sections 1, 2 and 6 of P.L.2003, c.24 (C.48:3-93.1 through C.48:3-93.3). Notwithstanding the provisions of any other law, rule or regulation to the contrary, a municipality acting as a government aggregator pursuant to P.L.1999, c.23 (C.48:3-49 et al.) shall not be deemed to be a public utility pursuant to R.S.40:62-24 or R.S.48:1-1 et seq. or be deemed to be operating any form of public utility service pursuant to R.S.40:62-1 et seq., to the extent such municipality is solely engaged in the provision of such aggregation service and not otherwise owning or operating any plant or facility for the production or distribution of gas, electricity, steam or other product as provided in R.S.40:62-12;

Joint municipal action on consent for the provision of cable television service. 32. Establish programs and procedures pursuant to which a municipality may act together with one or more municipalities in granting municipal consent for the provision of cable television service pursuant to the provisions of the "Cable Television Act," P.L.1972, c.186 (C.48:5A-1 et seq.) as amended and supplemented. Notwithstanding the provisions of any other law, rule or regulation to the contrary, two or more municipalities acting jointly pursuant to the provisions of P.L.1972, c.186 (C.48:5A-1 et seq.) shall not be deemed a public utility pursuant to R.S.48:1-1 et seq., to the extent those municipalities are solely engaged in granting municipal consent jointly and are not otherwise owning or operating any facility for the provision of cable television service as provided in P.L.1972, c.186 (C.48:5A-1 et seq.);

Private cable television service aggregation programs. 33. Establish programs and procedures pursuant to which a municipality may employ the services of a private aggregator for the purpose of facilitating the joint action of two or more municipalities in granting municipal consent for the provision of cable television service provided that any such municipality shall adhere to the provisions of the "Cable Television Act," P.L.1972, c.186 (C.48:5A-1 et seq.) as amended and supplemented, and to the provisions of the "Local Public Contracts Law," P.L.1971, c.198 (C.40A:11-1 et seq.) as amended and supplemented. Notwithstanding the provisions of any other law, rule or regulation to the contrary, a municipality that employs the services of a private aggregator pursuant to the provisions of P.L.1972, c.186 (C.48:5A-1 et seq.) shall not be deemed a public utility pursuant to R.S.48:1-1 et seq., to the extent that the municipality

2015 N.J. ALS 142, *; 2015 N.J. Laws 142;
2015 N.J. Ch. 142; 2014 N.J. A.N. 3843

is solely engaged in employing the services of a private aggregator for the purpose of facilitating the joint action of two or more municipalities in granting municipal consent and is not otherwise owning or operating any facility for the provision of cable television service as provided in P.L.1972, c.186 (C.48:5A-1 et seq.);

Protective Custody. 34. Provide protective custody to persons arrested for operating a motor vehicle under the influence of alcoholic beverages, any chemical substance, or any controlled dangerous substance in violation of R.S.39:4-50 as provided in section 1 of P.L.2003, c.164 (C.40:48-1.3);

Private Outdoor Video Surveillance Camera Registry. 35. Establish a private outdoor video surveillance camera registry and allow voluntary registration of private outdoor video surveillance cameras as provided in P.L.2015, c.142 (C.40:48-1.6 et al.).

[*4] 4. This act shall take effect immediately.

HISTORY:

Approved November 9, 2015

SPONSOR: Caputo

City Clerk File No. Ord. 16-103

Agenda No. 3-D 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 16-103

TITLE: ORDINANCE AMENDING CHAPTER 84 (ALCOHOLIC BEVERAGES) ARTICLE I (PLENARY RETAIL CONSUMPTION AND DISTRIBUTION LICENSES) AND CHAPTER 160 (FEES AND CHARGES) OF THE JERSEY CITY MUNICIPAL CODE TO ADD AN INITIAL LIQUOR LICENSE FEE FOR HOTELS OR MOTELS CONTAINING 100 GUEST SLEEPING ROOMS

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY HEREBY ORDAINS:

- A. The following amendments to Chapter 84 (Alcoholic Beverages), Article I (Plenary Retail Consumption and Distribution Licenses) are hereby adopted.

CHAPTER 84
Alcoholic Beverages
ARTICLE I

Plenary Retail Consumption and Distribution Licenses

§84-6.1. Redevelopment Areas.

- A. Anything herein contained to the contrary notwithstanding, any existing plenary retail consumption license may be transferred from a premises within a redevelopment area or from a premises outside of a redevelopment area to:

- (1) A restaurant located in a new building or renovated building within a redevelopment area.
- (2) A restaurant located in a new retail shopping area within a redevelopment area.
- (3) A restaurant located in a new mixed-use apartment building or renovated mixed-use apartment building within a redevelopment area.
- (4) A hotel or motel containing 100 guest sleeping rooms or more.

- B. No Change.

- C. Definitions. As used in this section, the following terms shall have the meanings indicated:

HOTEL - As defined in the Hotel and Multiple Dwelling Law (N.J.S.A. 55:13A).

MOTEL — As defined in the Hotel and Multiple Dwelling Law (N.J.S.A. 55:13A-3).

- D. No Change.

- B. The following amendments to Chapter 160 (Fees and Charges) are hereby adopted.

CHAPTER 160
Fees and Charges

§160-1. Fee Schedule Established.

Fees shall be as follows:

ORDINANCE AMENDING CHAPTER 84 (ALCOHOLIC BEVERAGES) ARTICLE I (PLENARY RETAIL CONSUMPTION AND DISTRIBUTION LICENSES) AND CHAPTER 160 (FEES AND CHARGES) OF THE JERSEY CITY MUNICIPAL CODE TO ADD AN INITIAL LIQUOR LICENSE FEE FOR HOTELS OR MOTELS CONTAINING 100 GUEST SLEEPING ROOMS

C. Chapter 84, Alcoholic Beverages.

- (1) Annual license fee for plenary retail consumption license: two thousand and seventy three dollars (\$2,073.00) effective as of June 1, 2016 for the license year that begins on July 1, 2016. Additionally, this annual license fee for the license year that begins on July 1, 2017 shall be two thousand four hundred and eighty-eight dollars (\$2,488.00) as of June 1, 2017 and for the license year that begins on July 1, 2018 shall be two thousand five hundred dollars (\$2,500.00) as of June 1, 2018.
- (2) Annual license fee for plenary retail distribution license: two thousand and seventy three dollars (\$2,073.00) effective as of June 1, 2016 for the license year that begins on July 1, 2016. Additionally, this annual license fee for the license year that begins on July 1, 2017 shall be two thousand four hundred and eighty-eight dollars (\$2,488.00) as of June 1, 2017 and for the license year that begins on July 1, 2018 shall be two thousand five hundred dollars (\$2,500.00) as of June 1, 2018.
- (3) Processing fee for licensees desiring a change in the corporate structure of the corporate licensee (plenary retail consumption or distribution license): \$60.
- (4) Identification card, for each original issue and renewal: \$10.
- (5) Application fee for special permit to sell alcoholic beverages: \$50.
- (6) Hotels and motels: A new license may be issued to any person or corporation that operates a hotel or motel containing one hundred (100) guest sleeping rooms or who may hereafter construct and establish a new hotel or motel containing at least one hundred (100) guest sleeping rooms. The initial fee shall be twenty-five thousand dollars (\$25,000.00) plus fifty dollars (\$50.00) per guest room. The annual renewal fee thereafter shall be the same as the annual license fee for plenary retail consumption licenses.

C. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

D. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

E. This ordinance shall take effect at the time and in the manner as provided by law.

F. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing Code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: New material is underlined; deleted matter in ~~brackets~~.
For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

JJH/he
6/9/16

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐